

**WASHINGTON  
TRIBAL EMERGENCY RESPONSE COMMISSION  
(TERC)  
HAZARDOUS MATERIALS WORKSHOP  
MEETING MINUTES**

**AUGUST 21-22, 2003**

***TRIBAL MEMBERS PRESENT***

Marie Covington, Confederated Tribes of the Colville Reservation  
Bill Mollenberg, Confederated Tribes of the Colville Reservation  
Daniel Nanamkin, Confederated Tribes of the Colville Reservation  
Mae Stensgar, Confederated Tribes of the Colville Reservation  
John Stensgar, Confederated Tribes of the Colville Reservation  
Benno Andrews, Confederated Tribes of the Colville Reservation  
Mike Caso, Cowlitz Tribe  
Rod Enevoldsen, Kalispel Tribe  
Mike Lasinier, Lower Elwha Klallam Tribe  
Dan Emley, Lummi Nation  
Curt Russell, Lummi Nation  
Pete Matt, Port Gamble S'Klallam  
Jason Jackson, Quinault Indian Nation  
Larry Ralston, Quinault Indian Nation  
Gary Mowitch, Quinault Indian Nation  
Tony Tarnowski, Quinault Indian Nation  
Mike Schults, Shoalwater Bay Indian Tribe  
Steve Spencer, Shoalwater Bay Indian Tribe  
Keith Dublanica, Skokomish Tribal Nation  
Bill Matt, Spokane Tribe  
Dan Neelands, Squaxin Island Tribe  
Ron Blake, Suquamish Tribe  
Jacob Sigo, Suquamish Tribe  
Charlie O'Hara, Swinomish Tribe  
Jeff Hegedus, Swinomish Tribe  
Susan Moreno, Swinomish Tribe  
John Harvey, Tulalip Tribe  
Doris Squeochs, Wanapeum  
Malcolm Aleck, Wanapeum  
Melvin Lucei, Wanapeum  
Andrew Murphy, Wanapeum

## **STATE AND FEDERAL MEMBERS PRESENT**

Mr. Ron Bowen – Washington State Patrol (WSP) Fire Protection Bureau  
Ms. Deborah Henderson – Washington State Emergency Management Division (EMD)  
Chief Bob Johnson – Auburn Fire Chief/State Emergency Response Commission (SERC) Chair  
Mr. Mark Ligman – EMD  
Ms. Suzanne Powers - Environmental Protection Agency (EPA)  
Mr. Wes Stockwell – WSP  
Ms. Barbara Thurman – EMD  
Ms. Maillian Uphaus – EMD  
Mr. Detlev Wegener – HAMMER Training Facility  
Ms. Sadie Whitener – Department of Ecology (Ecology)  
Mr. Ron Wilson – EMD

## **GUEST SPEAKERS**

Mr. Robert Holden - National Congress of American Indians  
Ms. Pearl Capoeman-Baller - Chairperson, Quinault Indian Nation  
Mr. Bill Basl – Office of Financial Management

**AUGUST 21, 2003**

## **CALL TO ORDER**

Mr. Jason Jackson of the Quinault Indian Nation was the Master of Ceremonies for the workshop and called the meeting to order at 8:30 am. Mr. Jackson welcomed all tribal members and guests. He then introduced Mark Ligman (EMD) for administrative remarks.

## **ADMINISTRATIVE ISSUES**

Mr. Ligman reviewed administrative issues relating to lodging and workshop agenda items. All lodging expenses would be paid for by the state. Breakfast and lunches will be catered during the workshop and there would be a dinner Thursday night for all conference attendees. All other meals would be on an individual basis.

This workshop was planned, organized and hosted by the Quinault Nation with assistance from EMD and the WSP Fire Protection Bureau with full support of the State Emergency Response Commission (SERC). The workshop was designed to assist tribes in enhancing hazardous materials (hazmat) planning, mitigation and response efforts. The workshop was not a training event, but was intended to: 1) provide information that would be useful to the tribes, 2) develop a forum for a “two-way” dialog; and 3) identify areas for cooperative efforts. The agenda was meant to be a guideline with the ability to be modified to address topics identified during the workshop. The

SERC is interested in supporting tribal efforts and will attempt to determine if this forum is useful to the tribes or identify another venue.

### ***GUEST SPEAKER BRIEFS***

#### **Tribal Security and Emergency Response Issues. Presented by Ms. Pearl Capoeman-Baller, Chairperson of the Quinault Indian Nation.**

Ms. Capoeman-Baller noted that since September 11, 2001 (9/11), homeland security has become a household topic. She was in Washington D.C. during 9/11 and witnessed first hand the aftermath of a major incident on the population. Following the attacks there were large crowds of people in the street with all or most means of communication out of order. Ms. Capoeman-Baller noted that after an incident the first instinct of people is to go home or notify their families and friends of their whereabouts and status. With no means of electronic communication many people left their jobs and tried to get home. This left a severe shortage of services within the city, banks were shut down, rental cars and airlines were not available. It took almost seven days to get a rental car, during this time the costs of services provided did increase dramatically, with the cost of rental cars reaching almost \$400 per day. That week impressed the need for emergency planning for all communities.

While we won't forget 9/11, we are preparing. Congress has appropriated significant amounts of monies to support planning, training and equipment needs. While these funds have been appropriated there have been significant roadblocks with tribes accessing these funds. Most tribes are isolated with small populations with most of the emergency response support at a distance. This situation can be further hampered by inclement weather or other natural disasters which block or cut transportation or communication routes.

Taking what she observed in Washington D.C. during the week of 9/11 and noting the isolated nature of tribal communities, Ms. Capoeman expressed the need for tribes to be better prepared. Tribes need to establish Memorandums of Agreements (MOAs) with local emergency response agencies and develop support amongst the tribal nations in order to protect their communities. This work will take a significant effort and commitment on the parts of the tribes, but is critical to the safety of the tribal communities. While we have not had any major disasters in Washington state, it is vitally important for tribes to prepare for natural and man-made disasters.

Recently, Ms. Capoeman-Baller was invited to meet with Secretary Thompson during his visit to Alaska. The most important fact that she brought out of that meeting is that an effective state level response cannot be achieved without tribal participation to address tribal issues. It is imperative that tribes become more involved in the security and response issues to ensure that their communities' interests are addressed.

## **Homeland Security Issues For Tribes - Presented by Mr. Robert Holden, Director Nuclear Waste Program, National Congress of American Indians**

Mr. Holden noted that previous generations were taught that the government and white man were the enemy and sought to destroy the Indian. Tribes diverted valuable resources to counter and spy on them. As a result, these resources were not available to support many tribal initiatives. Indian nations have had significant contributions to the overall national defense. Indian nations have given up lands (i.e. White Sands, Hanford), as a contribution to the war effort and national defense. There was an understanding that after this threat passed that the lands would be returned. These lands have not been returned. A majority of these lands have been contaminated and will never be able to be returned or restored to their original condition. Native Americans have also participated in the armed forces of the United States at a percentage higher than any other ethnic group. These and many other contributions have played a major part of the overall national defense.

During the height of the cold war, Mr. Holden traveled with his grandfather to Moscow to meet with the "Red Menace". Contrary to what he believed he found the people to be very pleasant. He saw that their economic system was in tatters; however they went out of their way to make them feel welcome. He found that these people meant him no harm; it was the leaders that dictated the policy that brought conflict among governments. In order to avoid these conflicts governments have negotiated and signed treaties. Indian nations have treaties in place with the U.S. Government that are just as valid as those with Russia. These treaties were put in place to allow Native Americans access to resources in order to keep their culture alive.

Native American children are brought up with terms such as "indigenous whites" and "sovereignty". This is due to our relationship with the U.S. government. Sometimes this relationship is good, bad or indifferent. In the past Indian nations had the opportunity to band together and fight the invaders. The decision was made to not fight. This decision was based upon the fact that they seemed to get along well with everyone and that war always brought bad things. The history of the U.S. and tribal governments has had good and bad incidents. Tribes are exerting their rights; they are not asking for anything more than what was promised by treaty. Currently tribes are being left out of homeland security issues. The Homeland Security Act of 2002 list tribal governments as local governments. Tribal lands comprise 55 million acres and have 270 miles of borders with Mexico and Canada or are accessible by boat. Even with these facts, tribal governments are left out. While all the effects of homeland security thus far have left out tribes, several pieces of legislation have been introduced to address this situation. House Bill S578 is designed to get tribes a greater level of participation.

**With all that is happening and all the activity it is important that we do not paint a picture of doom and gloom. Mr. Holden does get frustrated, but he knows that the tribal nations will do this work despite not being considered full participants. It is important to continue planning to protect our people. As part of this continuing effort, Mr. Holden is soliciting help from tribal council members to support House Bill**

S578.

Audience discussion was highlighted by two different experiences working with the counties and state. Jeff Hegedus of the Swinomish Tribe has had outstanding success working with the county within the Regional Homeland Security Council. Conversely, Bill Matt of the Spokane Tribe does not feel a full participant in the process and does not feel the distribution of resources has been equitable.

Mr. Holden acknowledged that there have been successes within the process; however on a national level the process has not allowed the tribes an equal level of participation or resources.

For further information contact Robert Holden at (202) 466-7767, or e-mail: [robert\\_holden@ncai.org](mailto:robert_holden@ncai.org)

**Methamphetamine Labs, presented by Larry Ralston (Quinault Indian Nation) and Eric Heinitz (Department of Ecology)**

Mr. Ralston noted that there has been an increase of methamphetamine labs on the Quinault Nation tribal land. This is an increasing threat both with the effects of the drugs on the users and the hazardous materials generated by the labs. They have received outstanding training from the Environmental Protection Agency (EPA) that has helped address this issue, plus the EPA provided them with the basic equipment.

Eric Heinitz, Regional supervisor for Ecology's Spill Response Program talked about Ecology's role in drug labs and what assistance they can offer the tribes when a lab is found. Tribal lands are considered federal lands and therefore Ecology has no jurisdiction over them unless assistance is requested by Tribal Law Enforcement. The governing authority for environmental responses to tribal lands rests with EPA. There will be cases where a drug lab is found that EPA may not be immediately available to assist. If EPA is unable to respond, and if requested to help, Ecology will assist the tribes with lab clean up. The same response procedure applies to other environmental emergencies on tribal lands. The first call must go to EPA, but if EPA is unable to assist or unwilling to assist, Ecology will respond. Ecology will help in assessing the problem, identifying the contaminate, and offer guidance on cleanup. In some cases such as a drum found on a beach, Ecology will help the tribes determine what is in the drum and if the cost is nominal, and even remove and dispose of the drum. In cases where several drums are found or a large environmental emergency occurs, Ecology will assist the tribes in getting EPA to respond and will help EPA if requested.

For further information contact Eric Heinitz at (360)-407-6375 or e-mail: [ehei461@ECY.WA.GOV](mailto:ehei461@ECY.WA.GOV)

**CERT/Citizen Corps – Presented by Mr. Bill Basl**

Mr. Basl discussed the volunteer services that are organized under the auspices of the Citizen Corps Program. With current response capabilities limited to approximately one firefighter for every 288 citizens, during a major incident local responders will be quickly overwhelmed. A second factor in a major incident is the natural desire of citizens to want to help. This help can come in the form of gifts, monies, or services. Without a method to organize this support the public response can quickly go from being an asset to becoming an obstacle. By organizing, training and supporting local citizen response capabilities a local response can be significantly enhanced. Mr. Basl stated that this is a "neighbor helping out neighbors" approach. He also noted that he was addressing a community that has successfully modeled this activity over thousands of years. There are resources and support available to enhance this program within a tribe. As leaders, we need to have a plan and training to use this resource.

For further information contact Bill Basl at (360) 902-0663 or e-mail:  
[bill.basl@ofm.wa.gov](mailto:bill.basl@ofm.wa.gov)

### **Northwest Association of Tribal Emergency Management Professionals (NATEMP) – Presented by Mr. Mike Lasiner**

Mr. Lasiner gave a brief presentation on NATEMP and how to join. This is an internet based user group that allows for the posting of questions and comments. With everyone struggling to meet increasing demands on a limited or shrinking budget it is becoming increasingly important to communicate and cooperate. By sharing information and resources all tribes will benefit. This forum has been used on a limited basis; Mike is soliciting help in advertising this resource or recommendations on changes that would make this more useful.

For further information contact Mike Lasiner at (360) 452-8471 Ext 117 or e-mail:  
[lasnier@elwha.nsn.us](mailto:lasnier@elwha.nsn.us)

**Jason Jackson adjourned the meeting at 4:00 pm.**

**August 22, 2003**

### **CALL TO ORDER**

Jason Jackson called the meeting to order at 9:00 a.m. and the previous day's briefs and discussions were reviewed. An opportunity for discussion was provided to answer questions and allow members to bring up areas of concern.

### **HAMMER Tribal First Responder Initiative - Presented by Mr. Det Wegener**

Mr. Det Wegener, Program Manager for the US Department of Energy's Hazardous Material Management and Emergency Response (HAMMER) Training and Education Facility located near Richland, Washington gave a presentation on an initiative put forward by the Tri-City Development and Economic Council at the request of the local

Tribes (Nez Perce Tribe, Confederated Tribes of the Umatilla Indian Reservation and Yakama Nation) that would assist tribes in setting up structural fire departments and provide for training at the HAMMER facility. By improving the structural fire capabilities on the reservations it will also increase the first responder resources. Other organizations involved in this effort are the National Native American Fire Chiefs Association (NNAFCA) and The National Congress of American Indians. Det is a member of the National Native American Fire Chiefs Association (NNAFCA).

Mr. Wegener explained to the attendees about the facilities at HAMMER. It is a state of the art training facility available for rent. Besides fire, they also have hands-on props for real life training scenarios, occupation safety and health, transportation, law enforcement, environmental management, emergency management and Cultural recourses. (See HAMMER's web site at: [www.hammertraining.com](http://www.hammertraining.com). HAMMER was selected for this initiative not only because of the facility and its already established fire and first responder training program but also because of its well-established positive relationship with the tribes.

As part of the proposed program, HAMMER would be designated the National Tribal Fire Academy and be run similar to that of the National Fire Academy in Emmittsburg, Maryland, ( i.e., lodging and travel would be provided for attendees) The pilot program calls for HAMMER to provide at least one Fire Fighter I and HazMat Technician Level academy for new professionals each year and short courses, i.e., one or two days, for volunteer and established fire fighters.

The fire department start up portion of the program would provide the level of assistance needed by the selected tribe as determined by that tribe. Funds would be available to hire a fire chief, build a building, and acquire equipment. Assistance would also be available to the tribe to find grants and other longer term funding sources.

Mr. Wegener also informed the group about the NNAFCA. It has a membership of about 185 individuals representing 55 different tribes. Its purpose is to formulate, enhance and develop related programs and opportunities for the betterment of all Native Americans, tribes and communities with regards to fire protection, suppression and life safety through a combined and unified effort. Membership dues are \$25 per year. For membership information, contact Ms. Connie Carlin, Secretary/Treasurer, at (520) 568-2258 or at [cconniecarlin@netscape.net](mailto:cconniecarlin@netscape.net) <<mailto:cconniecarlin@netscape.net>>.

For further information, contact Det Wegener at (509) 373-2021, or e-mail: [detlev\\_l\\_wegener@rl.gov](mailto:detlev_l_wegener@rl.gov)

## **First Responder Training Overview – Presented by Ron Bowen, WSP Mobilization/Responder Readiness Division**

Deputy State Fire Marshal Ron Bowen, gave an overview of training available from his agency in hazardous materials and terrorism. He made an offer to the tribes that if they want basic Hazardous Materials Awareness training to call and he would provide it onsite at any time.

He also gave an overview of the State Committee on Terrorism's Equipment Purchasing process. Currently, the process involves working through the counties or Regional Homeland Security Districts and their needs and capabilities assessments to access equipment purchasing. Concerns were raised regarding tribes working with the counties vs. a government-to-government relationship with the state. There was agreement that the current process was not acceptable based on the Centennial Accord. However, until that issue was resolved, this is the way to access those funds.

For further information contact Ron Bowen at (360) 753-0357, or e-mail: [rbowen@wsp.wa.gov](mailto:rbowen@wsp.wa.gov).

### **SERC Program Brief- Presented by Mark Ligman, EMD**

Mark Ligman briefed that the SERC is a sub-committee of the Emergency Management Council and is tasked with assisting local agencies to develop Local Emergency Response Committees (LEPCs) and Tribal Emergency Response Commissions (TERCs). The SERC is a broad-based membership commission with representatives from state, local agencies and private industry. The SERC's goal is to assist local communities and tribes to meet the mandates of the SARA Title III legislation. This support is in the form of funding and training assistance to develop a statewide hazmat response capability. Mark Ligman and Bob Johnson (SERC Chairperson) are available to conduct technical assist visits to the tribes and conduct briefings for TERC and other interested tribal members.

For further information, contact Mark Ligman at (253) 512-7069, or e-mail: [m.ligman@emd.wa.gov](mailto:m.ligman@emd.wa.gov)

### **AUDIENCE PARTICIPATION**

A discussion on the value of the workshop was conducted. Participants determined that this was a valuable tool to assist tribal hazmat planning and response efforts. Funding for an annual TERC hazmat workshop will be budgeted. A site for next year's workshop was not determined. However, the Quinault Resort did work well for all attendees.

### **ACTION ITEMS**

- Coordinate the next TERC meeting for August 2004, (EMD).
- Provide contact information from workshop to all attendees (EMD)
- Provide tribal site visit and briefing services upon request. (EMD)

### **NEXT MEETING**



The next scheduled meeting will be conducted August 2004 at a location to be determined.

### ***ADJOURNMENT***

Jason Jackson adjourned the meeting at 12:30 pm.

### ***CONTACT INFORMATION***

Interested parties may contact the Washington SERC through:

Mr. Mark Ligman, SERC-LEPC Program Coordinator  
c/o Washington State Emergency Response Commission  
Building 20, MS: TA-20  
Camp Murray WA 98430-5122  
(253) 512-7069 voice  
(253) 512-7207 fax  
[m.ligman@emd.wa.gov](mailto:m.ligman@emd.wa.gov)

Interested parties may contact the Washington State Patrol, Fire Protection Bureau through:

Mr. Ron Bowen, Hazardous Materials Coordinator  
PO Box 42600  
Olympia WA 98504-2600  
(360) 753-0357 voice  
(360) 753-0398  
[rbowen@wsp.wa.gov](mailto:rbowen@wsp.wa.gov)

Attendees to the tribal workshop are included as enclosure (1)